

LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS

Minutes of Board Meeting held May 1, 2007

A business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:35 p.m. by Chairman William B. Hawk on May 1, 2007 in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hawk were: William C. Seeds, Sr., William L. Hornung, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; and Steve Stine, Township Solicitor.

**Pledge of Allegiance**

Mr. Blain led the recitation of the Pledge of Allegiance.

**Approval of Minutes**

Mr. Seeds made a motion to approve the minutes of the April 3, 2007 business meeting, and the April 10, 2007 workshop meeting. Mr. Blain seconded the motion, and a unanimous vote followed.

**Public Comment**

Mr. Larry Gaiski, 4501 Egrit Drive in Chelsea Falls, stated he organized with his neighbors and relatives when the plan was initiated. They were promised sidewalks from the beginning and they have not been installed. Frank Cibort was the original developer, and he sold the development to Bottom Line Construction. Mr. Gaiski's and the other existing neighbors' concern is when the sidewalks are going to be installed. Mr. Gaiski stated that the lack of sidewalks is taking away from the value of the existing properties, and the front of the properties are washing out. He was also there to represent his mother, Eleanor Gaiski, and cousin, George Gaiski. Mr. Gaiski asked how sidewalks and apron will be put in across the driveway to his

cousin's house which is a right-of-way since Bottom Line still owns it. The existing homeowners are not getting any response from Bottom Line.

Mr. Blain asked Mr. Gaiki to outline his questions and get them to Mr. Wolfe so he and the planning and zoning officers can look at the approved land development plan to see what was required at that time. Mr. Blain stated that the improvements are required regardless of whether the land was sold to another party or not. The plan that was approved has to be abided by. Mr. Blain noted that just because it has changed hands, the sidewalks cannot just be forgotten.

Mr. Seeds stated that the developer would have an improvement guarantee that they have to post to ensure those improvements are completed.

Mr. Gaiki asked what time frame is acceptable. Mr. Seeds stated staff will research that question as well.

### **Manager's Report**

Mr. Wolfe explained that the Township has received notice that United Water of Pennsylvania is continuing to flush the fire hydrants within Lower Paxton Township. The flushing program began in April and will continue through mid-June. This is a normal practice to maintain hydrants, as it clears out the dirt and debris in the water lines. It also ensures that the hydrants themselves are operational. Some customers may experience low water pressure or discolored water, but that should not last long. Customers experiencing this should run the tap water until it runs clear before consuming or using for washing.

Mr. Wolfe explained that Lower Paxton Township maintains a File of Life program. This has been created by the Police Department so that in an emergency, the responder knows who is in the house, and what the conditions and needs are, should they not be able to respond. The File of Life is a refrigerator magnet with a pocket for the File of Life card which is filled out with medical conditions, emergency contact information, doctors and medications. An

emergency responder will know the resident participates with the program because the resident places a sticker on the front door indicating such. They are available in the Township Police Department, Administration Office, Friendship Community Center, and are free of charge for Township residents.

Mr. Hawk noted that residents that do participate should check their front door sticker, because they do fade and peel. He also noted that if a Township resident needs a new one they can get that at any Township offices as well.

### **OLD BUSINESS**

There were no items of old business to discuss.

### **NEW BUSINESS**

#### Resolution 07-22; amends Resolution 07-05 as it pertains to certain requests the Board of Supervisors has made to the Capital Tax Collection Bureau

Mr. Hawk stated he agrees with the changes proposed, and turned to Mr. Blain to explain what has happened so far. Mr. Blain explained that Resolution 07-05 stated that the Capital Tax Collection Bureau was to provide the receipts audited on a dollar-for-dollar basis, so that 100% of the funds would be audited and tied back to a distribution point, be it an employer or tax bureau it is coming from. Capital Tax Collection Bureau has recognized the fact that the audit currently in practice is on a consolidated level, meaning the audit looks at the full amount of dollars, not taking into account who it was actually distributed to. There are supplemental schedules that outline how much money has been distributed to each entity. Those have not been audited; they were always just prepared by the accounting firm at the request of Capital Tax Collection Bureau. What has been recommended is that the supplemental schedule will be audited. That will list distributions to each municipality as to how much money they receive in that fiscal year. It would be very cumbersome to do that audit dollar-for-dollar for each municipality. In order to meet traditional auditing standards, a sample basis is used. That means

they select a certain number or receipts that have gone out to each municipality and test those. If they are accurate, they can make an assessment that, in all material respects, the distributions are correct. Resolution 07-22 amends 07-05 to state the Township is okay with them auditing the supplemental schedules on a sample basis rather than dollar-for-dollar. It should be noted that the resolution can be changed at any time depending on the findings of the internal control study.

Mr. Hawk noted that there is legislation being written regarding the collection of the EIT by DCED.

Mr. Blain made a motion to approve Resolution 07-22 amending Resolution 07-05 as it pertains to requests made by the Board of Supervisors to the Capital Tax Collection Bureau. Mr. Hornung seconded the motion, and a unanimous vote followed.

### **Improvement Guarantees**

#### **Patton Place**

A reduction in a letter of credit with Integrity Bank in the amount of \$47,892.75 with an expiration date of May 15, 2008.

#### **Dunkin Donuts/Baskin Robbins**

A reduction in a letter of credit with Commerce Bank in the amount of \$9,780.00 with an expiration date of March 17, 2008.

#### **Kings Crossing, Phase C**

An extension and increase in a letter of credit with Fulton Bank in the amount of \$70,180.00 with an expiration date of May 18, 2008.

#### **Autumn Ridge, Phase III**

A reduction in a letter of credit with Fulton Bank in the amount of \$43,260.00 with an expiration date of May 6, 2008.

#### **Mindy Meadows, Phase I**

A reduction in a letter of credit with Fulton Bank in the amount of \$15,750.00 with an expiration date of June 27, 2008.

### Stratford Woods, Phase III

A reduction and extension in a letter of credit with Fulton Bank in the amount of \$21,000.00 with an expiration date of May 30, 2008.

### Willow Brook, Phases I & II

A release in a letter of credit with Fulton Bank.

### Willow Brook, Phase III

A reduction in a letter of credit with Fulton Bank in the amount of \$6,112.15 with an expiration date of December 28, 2007.

### Willow Brook Phase IV

A reduction in a letter of credit with Fulton Bank in the amount of \$34,015.85 with an expiration date of August 3, 2007.

### Willow Brook, Phases V & VI

A reduction in a letter of credit with Fulton Bank in the amount of \$69,885.75 with an expiration date of February 6, 2008.

### Amesbury

Creation of a new bond with Liberty Mutual Insurance Company in the amount of \$901,440.30 with an expiration date of April 18, 2009.

### Amber Fields, Phase II

A reduction in a letter of credit with Sovereign Bank in the amount of \$3,240.00 with an expiration date of April 3, 2008.

### Spring Creek Hollows, Phase 1B

An increase and extension in a letter of credit with Deutsche Bank in the amount of \$1,276,000.00 with an expiration date of April 10, 2008.

### Old Iron Estates, Phase III

A reduction in a letter of credit with Fulton Bank in the amount of \$27,660.00 with an expiration date of June 7, 2007.

### Old Iron Estates, Phase IV

A reduction in a letter of credit with Fulton Bank in the amount of \$22,350.00 with an expiration date of April 20, 2008.

Mr. Blain made a motion to approve the fifteen improvement guarantees as presented. Mr. Seeds seconded the motion and a unanimous vote followed.

### **Payment of Bills**

Mr. Seeds made a motion to pay the bills of Lower Paxton Township and Lower Paxton Township Authority. Mr. Blain seconded the motion, and a unanimous vote followed.

### **Chairman & Board Members' Comments**

Mr. Hornung asked for clarification on the improvement guarantee process. Mr. Wolfe explained that it is done in phases. When a developer is ready to build homes, he typically puts down the binder layer on the street, and will not put the final wearing course on until ready to dedicate the street to the Township, which could be a two or three year process. With regard to sidewalks, they typically build them after the house is built because they do not want them damaged by the construction of the home. Sidewalks are the last thing done in any development and are done lot by lot. Basic utilities are always the first things done.

Mr. Hornung noted that the sidewalks are done lot by lot, and asked if the Township requires it be done that way, or if that is his choosing. Mr. Wolfe confirmed that it is up to the developer in what order he does the work.

Mr. Hornung asked if the improvement guarantees are by phasing as well. Mr. Wolfe stated that the improvements are divided up by phase and the financial security is posted by phases as well.

Mr. Wolfe stated that when the improvement guarantee comes due, if the improvements are not completed, the Township can choose to act upon the guarantee and install the improvements itself. Mr. Seeds noted that is why he questions the extension requests on the improvement guarantees.

Mr. Wolfe noted that subdivision plans are public record, and are located in the Township Municipal Building. Prior to buying a lot, a potential buyer is welcome to come look at the plans and see what improvements are proposed. The Staff can tell the person what improvements are completed, although they cannot usually tell them what the schedule is. Mr. Hornung noted that there are many people that could have avoided the surprises had they looked into the property before purchasing it.

### **Adjournment**

There being no further business, Mr. Seeds made a motion to adjourn the meeting. Mr. Blain seconded the motion, and the meeting adjourned at 7:59 p.m.

Respectfully submitted,

Michelle Hiner

Approved by,

Gary A. Crissman  
Township Secretary